

REMARKS:

In the outstanding Office Action, the Examiner rejected claims 11-15, 19-23 and 26-28. Claims 11, 14, 15, 19-21, 23 and 26 are amended herein, and new claim 32 is added. Claims 1-10, 16-18, 24, 25 and 29-31 remain withdrawn. No new matter is presented.

Thus, claims 11-15, 19-23, 26-28 and 32 are pending and under consideration. The rejections are traversed below.

OBJECTION TO CLAIM 11:

At item 2 of the outstanding Office Action, the Examiner objected to claim 11 due to informalities. Claim 11 is amended herein.

Therefore, withdrawal of the objection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 101:

Claims 14 and 15 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 14 and 15 are amended herein.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 112¶2:

Claims 11-15, 21, 23 and 26-28 were rejected under 35 U.S.C. § 112¶2. Claims 11, 14, 15, 21, 23 and 26 are amended herein (claims 12 and 13 depend from claim 11 and claims 27 and 28 depend from claim 26).

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102(e) and § 102(f):

Claims 11, 12, 19-21 and 23 were rejected as being anticipated by U.S. Patent Pub. No. 2003/0132570 (Park).

The separation guide (220) of Park is disposed in the cassette body (210) and comes into contact with a front end of a sheet of paper creating a predetermined friction resistance at a contacting area of the separation guide (220) and the sheet (see, FIG. 4 and corresponding text). The separation guide (220) includes a fixing guide (222) fixedly disposed at the cassette body (210) and a moving guide (225) movably disposed at the cassette body (210), where the moving guide (225) moves toward or away from a contact line formed between the separation guide (220) and the sheet (see, paragraphs 31-33).

As also shown FIG. 6 of Park, a rotary lever (259) is disposed at an end of the rotary shaft (255) such that a user is able to manipulate the rotary lever (259) and rotate the cam member (251) in accordance with the type of the sheet stacked in the paper feeding cassette (200) and cause the moving guide (225) to come into contact with or be separated from the front end of the picked-up sheet (see also, paragraph 35).

Independent claim 11 as amended recites, "classifying the paper to a first type having a thickness within a predetermined range or a second type thicker than the first type of paper based on the signal." The claimed invention in claim 11 also includes, "pivotally moving the at least one friction member to the second direction" and "picking up the paper from the paper feeding section when the at least one friction member has been pivotally moved in the second direction."

Independent claims 19 and 20 recite, "classifying" the papers into "a first type having a thickness within a predetermined range or a second type thicker than the first type" and "pivotally moving the friction member" based on the classification. This enables the friction member to be dynamically adjusted based on the type of paper provided in the printing apparatus.

Park does not teach or suggest a "pivotally" movable friction member that moves accordingly based on "classifying" a paper, as recited in each of independent claims 11, 19 and 20.

It is submitted that the independent claims are patentable over the cited references.

For at least the above-mentioned reasons, claims depending from the independent claims are patentably distinguishable over the cited references. The dependent claims are also independently patentable. For example, as recited in claim 24, the claimed apparatus includes, "a pivot pin to pivotably connect a lower end of the at least one friction member to the base of the main body." The cited references do not teach or suggest these features claim 24.

Applicants respectfully submit that the subject matter of Park and the claimed invention recited in claims 11, 12, 19-21 and 23 are not the same and do not warrant a rejection under 35 U.S.C. § 102(f). As stated in MPEP § 2137, "the mere fact that a claim recites the use of various components, each of which can be argumentatively assumed to be old, does not provide a proper basis for a rejection under 35 U.S.C. 102(f)." Instead, derivation requires complete conception by another and communication of that conception by any means to the party charged with derivation prior to any date on which it can be shown that the one charged with derivation

possessed knowledge of the invention (see, MPEP § 2137).

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103(a):

Claims 13 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Park and U.S. Patent No. 6,002,891 (Shin).

The above presented arguments directed to independent claims 11 and 20 are also incorporated herein to address the rejection on claims 13 and 22 that depend from claims 11 and 20, respectively.

Applicants respectfully submit that Park only qualifies as prior art under §102(e) because the present application claims the benefit of Korean Patent Application No. 2003-36125 filed June 4, 2003, which is prior to the July 17, 2003 publication date of Park. Applicants also submit that Park and the present invention were, at the time the invention was made, subject to being assigned to Samsung Electronics Co., Ltd. Accordingly, Park is disqualified as being applied in a rejection under 35 U.S.C. 103(a) (see, 35 U.S.C. § 103(c) MPEP § 2141.01).

On pages 8 and 9 of the outstanding Office Action, the Examiner indicates that Shin teaches a paper handling apparatus with a controller that receives a signal indicative of a paper type (i.e., thickness of paper). However, Shin is directed to sensing the thickness of a paper sheet via a sensor (500) that contacts a guide roller (26) and measures the thickness of the paper sheet (see, col. 4, lines 14-23). Then, based on a look-up table that stores displacement value to be applied based on thickness, a controller sends a displacement value to the pressure changing unit (30), corresponding to the thickness of the paper sheet (see, FIG. 3 and corresponding text).

Claims 13 and 22 recite, “supplying a signal from a memory that stores information in relation to the types of paper inputted through a print driver by a user.”

Park and Shin do not teach or suggest, “supplying a signal from a memory that stores information in relation to the types of paper” (claims 13 and 22) and “pivotally” adjusting or moving a friction member based on the determination of the type of paper (see also, claims 11 and 20).

Therefore, withdrawal of the rejection is respectfully requested.

NEW CLAIM:

New claim 32 has been added to recite, "determining whether the paper belongs to a first type of paper or a second type of paper... based on stored information indicative of a type of paper" and "automatically adjusting the friction member based on said determining." Accordingly, the present invention changes "an angle formed between the friction member pivotally attached to the paper feeding section."

It is respectfully submitted that the above-discussed features of new claim 32 are patentably distinguishable over Park and Shin.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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